

REMARKS

Claims 1-14 remain pending in the present application. Claims 4 and 7-9 have been amended. Claims 11-14 are new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings originally filed.

REJECTION UNDER 35 U.S.C. § 103

Claims 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoshino (JP 09136533). Claims 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yoneyama, et al. (JP 56053914).

In the present invention defined by amended Claim 7, the drain hose, disposed above the protecting member and between the partition and the carpet is protected by the protecting member. The protecting member is part of the under covering and covers the internal space of the instrument panel. Also, the present invention preserves leg space for passengers under the protecting member and protects the drain hose from being pressed by the passenger's feet because it is arranged under the instrument panel.

Figure 8 of JP-H-9-136533 shows a separate cover 16 disposed at the passenger's leg space side with its board portion hanging vertically. The separate cover is not part of the under cover that covers the internal space of the instrument panel from beneath. Therefore, the passenger's leg space is narrow. Also, if the legs of the passenger are extended, they may reach the drain hose and compromise the drain hose. Thus, the drain hose is not securely protected. In addition, JP-H-9-136533

does not disclose or teach the drain hose extending along the partition wall and being disposed between a partition wall and a carpet.

Figure 2 of JP-S-56-53914 shows a frame 6 that is a replacement for a grommet that seals the gap between the dash panel 1 and rubber hose 4. The frame 6 is not for protecting the drain hose. Further, the drain hose described in JP-S-56-53194 is not extended along the wall member, and is not disposed between the partition wall and the carpet above the protecting member.

Thus, Applicant believes Claim 7, as amended, patentably distinguishes over the art of record. Likewise, Claims 8-10, which depend from Claim 7, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

NEW CLAIMS

New Claim 11 is an independent claim that defines the drain hose as extending along and through a generally planar surface defined by the wall member. Both JP-H-9-136533 and JP-S-56-53914 disclose a drain tube 2 and 4, respectively, which extends through a wall member A and 1, respectively, but neither reference discloses, teaches or even suggests extending the drain tube along a generally planar surface and then providing a protecting member for this style or design of drain tube. Thus, Applicant believes Claim 11 patentably distinguishes over the art of record.

Claims 12-14 are the same as original Claims 8-10 but are dependent on Claim 11.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By: 

Michael J. Schmidt, 34, 007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg